



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.1621 of 2020

KPF Sathappa Subramanian

...Petitioner/
Defacto Complainant

Vs.

1. The Inspector of Police
C.B.C.I.D
Pudukkottai District
2. The Deputy Inspector General of Police
Tiruchirapalli District
3. The Superintendent of Police
Office of the Superintendent of Police
Pudukkottai District
4. The Inspector of Police
District Crime Branch, K.Pudupatti
Pudukkottai District

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the 2nd and 3rd respondents to issue suitable orders to withdraw and transfer the Investigation in Crime No.99 of 2012 pending on the file of the 4th respondent to the 1st respondent for a fair and speedy investigation by recovering the theft properties, secure the accused within a reasonable time.

For Petitioner : M/s.S.Karthikeyan

For R1 to R4 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the second and third respondents to issue suitable orders to withdraw and transfer the investigation in Crime No.99 of 2012, which is pending on the file of the fourth respondent to the first respondent.

2.When the matter is taken up for hearing the learned Additional Public Prosecutor would submit that based on the complaint given by the defacto complainant the respondent police conducted enquiry and closed the complaint as 'mistake of fact' and RCS notice has been duly served to the defacto complainant on 20.02.2022.



3.The learned counsel for the petitioner would submit that no RCS notice has been served on him.

4.Recording the aforesaid submission, this Criminal Original Petition is dismissed as infructuous. Further the respondent police is directed to serve RCS notice to the defacto complainant forthwith and on receipt of the same, the petitioner is at liberty to approach the concerned court by way of protest petition in the manner known to law.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Inspector of Police
C.B.C.I.D, Pudukkottai District.
2. The Deputy Inspector General of Police
Tiruchirapalli District
3. The Superintendent of Police
Office of the Superintendent of Police
Pudukkottai District
4. The Inspector of Police
District Crime Branch, K.Pudupatti,
Pudukkottai District
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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RD(10.03.2022) 2P 6C